REMARKS

This response to the Office Action having a mailing date of November 17, 2005 is being filed along with a request for continued examination (RCE) and a fourth supplemental Information Disclosure Statement. Claims 1-40 are pending, claims 1, 38 and 39 having been amended as described below.

All of the pending claims have been rejected under 35 U.S.C. § 103. Of the 40 claims pending in this application, claims 1, 14, 25, 38 and 39 are independent, each of which is rejected on no less than four (4) documents. As for claim 1, in addition to *Hoffman* and *Thompson*, both previously applied against claim 1, the Examiner has added to that base combination two newly cited documents: Japanese application publication 07-089053 to *Yoshihiro et al.* (*Yoshihiro*) and US Patent 5,874,988 to *Gu*. Each of claims 14 and 25 is rejected on this four-document combination further in view of *Caruso*. Each of claims 38 and 39 stands rejected on a combination of seven (7) references: the four-document combination identified above plus *Garr*, *Endo* and *Higashio*, which were cited by the Examiner in the first Office Action.

Having previously discussed *Hoffman* and *Thompson* in the previous response, applicants' will focus on the newly cited documents, *Yoshihiro* and *Gu*. The essence of the Examiner's position appears to be that the combination of *Yoshihiro* and *Gu* teach the feature of displaying the current logo data and the associated ink-amount or attribute data simultaneously, such that when a change is made to the displayed logo data, the amount of ink for printing the changed logo data is recalculated in substantially real-time, and the updated logo data and the updated ink-amount or attribute data are both displayed. *Gu* is cited as teaching the updating aspect.

Yoshihiro's device combines a function that exposes the front face of a plate and creates the printing version directly, and a function that computes the amount of ink for printing. There is no updating feature.

Gu is directed to automated color correction. Figs. 9, 10 and 11 of *Gu* show examples in which both a 24-bit color video image and a histogram of a primary color of the video image are simultaneously displayed side-by-side. This window, according to *Gu*, provides real time information about the automatic

processing procedure being carried out. Any change in control parameters produces a new image, which then results in a new histogram. The way *Gu's* system works is that a feature of the displayed image, such as high edge value, is compared with that feature in a reference image, and then a parameter that controls that feature, such as GAIN, is adjusted so that the feature, e.g., high edge value, in the displayed image is closer to that of the reference image. Then, the displayed image is changed in accordance with the GAIN adjustment. In addition to the fact that the histogram does not convey a predicted ink amount nor image size in any meaningful sense, the adjustment and updating process is different from that of the subject invention. In *Gu* the updating of the image and histogram is in response to a feature comparison and then a control parameter adjustment, whereas in the subject invention the update is in response to a change made directly to the image (logo data).

Applicants respectfully submit that none of the applied document combinations, even considering the disclosures of *Yoshihiro* and *Gu*, teach recalculating predicted ink usage (or logo data size information in claims 38 and 39) in response to a change being made to the displayed logo data, and then simultaneously displaying the updated logo data and either the predicted ink usage (or logo data size information in claims 38 and 39). This feature of simultaneously displaying the updated information is clearly recited in each of independent claims 14 and 25, and each of independent claims 1, 38 and 39 has been amended to further emphasize this feature.

The subject invention advantageously couples ink usage prediction with output quality, which the user may consider in creating and editing logo data. That is, the subject invention provides the capability to create and edit logo data, taking into account the amount of ink that would be required to print a particular version of it and the quality of the printed output. By generating logo data and calculating ink consumption required for printing that logo data, the invention advantageously enables the user to obtain a desired balance between ink consumption and output quality. The documents cited by the Examiner in rejecting the independent claims do not teach the claimed invention nor these advantages which flow from it.

Accordingly, it is respectfully submitted that each of independent claims 1, 14, 25, 38, and 39 is patentably distinguishable over the combination of documents applied to that claim. It is further submitted that each of the remaining dependent claims is patentable for at least the same reasons as is its independent claim.

Furthermore, regarding US Patent No. 6,631,967 to *Saruta*, which the Examiner is using, along with other documents, to reject claims 6-8, 19-21, and 30-32, applicants point out that this patent is not a valid reference under 35 U.S.C. § 102(e)/103, as the subject matter of this patent and the invention claimed herein were owned by the same person or subject to an obligation of assignment to the same person at the time the claimed invention of this application was made. Thus, each of these claims adds further patentable subject matter.

In view of the foregoing, it is respectfully submitted that all pending claims are patentably distinguishable over the documents of record, and that the application is in condition for allowance. Should the Examiner believe that any issues remain outstanding, he is respectfully requested to contact applicants' undersigned attorney in an effort to resolve such issue(s) and advance the case to grant.

Respectfully submitted,
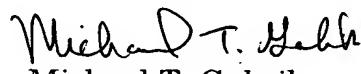
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